# GOVERNMENT OF INDIA
# CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
# LOK SABHA

UNSTARRED QUESTION NO:2748
ANSWERED ON:19.03.2007
COMPENSATION FOR DEATH DUE TO INFECTED BLOOD
Sajjan Kumar Shri

**Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:**

(a) whether the Consumer Courts have recently ordered a number of hospitals in Delhi to provide compensation to patients in cases of deaths due to transfusion of infected blood;

(b) if so, the details thereof ; and

(c) the action taken/proposed to be taken by the Government in this regard?

## Answer

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI TASLIMUDDIN)

(a) : No Sir. As per the information made available by the National Consumer Disputes Redressal Commission (NCDRC) and State Consumer Disputes Redressal Commission (SCDRC), Delhi, no case regarding 'compensation for death due to infected blood' has been decided by the NCDRC and SCDRC, Delhi recently. However, two (2) cases have been decided by the SCDRC, Delhi for granting compensation to the consumers due to infected blood transfusion and not compensation for death due to blood transfusion recently.

(b) : The brief details of the cases decided by SCDRC, Delhi are as under:

1. Complaint No.3/2006 dated 15.01.2007 − Smt. Harbans Kaur Chawla Vs. Escorts Heart Institute & Research Centre − the SCDRC, Delhi held hospital liable for deficiency in service or negligence and directed the hospital to pay a compensation of Rs. 50,000/-. Against the said decision of SCDRC, Delhi, an appeal has been filed before the NCDRC on 5.3.2007and the same is listed for hearing on 21.3.2007.

2. Complaint No. 101/1992 dated 13.2.2006 − Naresh Kumar Vs. Sunil Blood Bank & Transfusion Centre − the SCDRC, Delhi has awarded compensation of Rs. 20,000/- to the complainant against selling of contaminated blood sample and not selling the blood in the manner provided under Rule 96 of the Drugs and Cosmetics Rules, 1945, framed under Drugs and Cosmetics Act, 1940.

(c) : The Government can not intervene/interfere in the judicial process/orders. However, the aggrieved party is free to invoke legal remedy available within the framework of the Consumer Protection Act, 1986 in filing appeal/revision etc. before the next higher Forum.